

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

**THE TRUSTEES OF COLUMBIA
UNIVERSITY IN THE CITY OF
NEW YORK**

Plaintiff,

v.

Civil Action No. 3:13cv808

SYMANTEC CORPORATION,

Defendant.

ORDER

On October 4, 2018, the Court held an Initial Pretrial Conference with both parties.

Pursuant to the Court's statement during the October 4, 2018 Initial Pretrial Conference, the Court GRANTS Columbia's Unopposed Motion for Leave to File Motion for Partial Summary Judgment Without Prejudice to a Subsequent Motion for Summary Judgment (the "Motion"), (ECF No. 195). The Court will allow separate briefing as to the statutory estoppel issue identified by the parties at pages 16–20 of their Supplemental Conference Report Under Federal Rule of Civil Procedure 26(f) (the "Supplemental Conference Report"), (ECF No. 194). Because Columbia attached only its Memorandum in Support, the Court ORDERS Columbia to file its Motion for Partial Summary Judgment Regarding *Inter Partes* Review Estoppel, the Memorandum in Support, and any supporting documents, by close of business October 5, 2018, pursuant to Local Rules.

The Court further ORDERS that Symantec Corporation ("Symantec") SHALL file its Motion to Permit Additional Claim Construction Proceedings, identified by the parties in the Supplemental Conference Report at pages 4–14, by close of business on October 22, 2018.

Columbia's Response and Symantec's Reply SHALL be filed in accordance with the requirements of Local Rule 7 and the Federal Rules of Civil Procedure.

Additionally, if Columbia and Symantec cannot reach an agreement as to the remaining discovery issue, identified by the parties in the Supplemental Conference Report at pages 14–16, the initial brief regarding this dispute SHALL be filed by close of business October 22, 2018. The Response and Reply to that brief SHALL be filed in accordance with the requirements of Local Rule 7 and the Federal Rules of Civil Procedure.

To the extent the parties request one, the Court SCHEDULES oral argument on all issues addressed in this motion and which are fully briefed, on November 27, 2018, at 2:00 p.m.

It is SO ORDERED.

Date: 10/5/2018
Richmond, Virginia



M. Hannah Lauck
United States District Judge